

Message Text

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15

ACTION L-03

INFO OCT-01 EUR-25 ADP-00 CAB-09 CIAE-00 COME-00 DODE-00

EB-11 INR-10 NSAE-00 RSC-01 FAA-00 SS-15 NSC-10 RSR-01

SAJ-01 /087 W

----- 081782

R 290855Z AUG 73

FM AMEMBASSY BELGRADE

TO SECSTATE WASHDC 7078

LIMITED OFFICIAL USE BELGRADE 3853

E.O. 11652: N/A

TAGS: PFOR, ETRN, YO

SUBJ: YUGOSLAV INTERPRETATION OF FULL POWERS

REF : BELGRADE 257

BELGRADE 423

STATE 13350

1. QUESTION OF EXCHANGE OF FULL POWERS FOR EXECUTIVE AGREEMENTS WHICH AROSE EARLIER THIS YEAR IN CONNECTION WITH OPIC AGREEMENT (REFTELS) HAS ARISEN AGAIN IN CONNECTION WITH SCHEDULED SIGNING SEPTEMBER 25 OF CIVIL AIR BILATERAL.

2. FEDERAL SECRETARIAT FOREIGN AFFAIRS (FELBABOV - AMERICAN DESK) TOLD US AUGUST 24 THAT EXCHANGE OF FULL POWERS WOULD NOT REPEAT NOT BE REQUIRED FOR CIVIL AIR BILATERAL. DIRECTORATE GENERAL CIVIL AVIATION HAS BEEN SO INFORMED.

3. AS FOR FUTURE EXECUTIVE AGREEMENTS, HOWEVER, FELBABOV LEFT IMPRESSION THAT FSFA LEGAL DEPARTMENT WOULD REQUEST EXCHANGE OF FULL POWERS. ACCORDING TO HIM, LEGAL DEPARTMENT INTERPRETS ARTICLE VII OF 1970 VIENNA CONVENTION AS REQUIRING EXCHANGE OF FULL POWERS FOR ALL AGREEMENTS EXCEPT THOSE SIGNED BY HEAD OF STATE, PRIME MINISTER OR FOREIGNAFFAIRS MINISTER.

MOREOVER, AMBASSADOR CAN SIGN AN AGREEMENT WITHOUT EXCHANGE

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OF FULL POWERS ONLY IF AGREEMENT IS LATER TO BE RATIFIED BY

LEGISLATURE. OUR READING OF ARTICLE VII(B) OF THE CONVENTION IS
THAT
AMBASSADOR CAN SIGN WITHOUT EXCHANGE OF FULL POWERS.

4. FELBABOV SAID FSFA, LEGAL DEPARTMENT WOULD LIKE TO RESOLVE
THIS MATTER ACCORDINGLY, EMBASSY WOULD APPRECIATE DEPARTMENT'S
VIEWS ON THE FOREGOING FOR DISCUSSION WITH FSFA.
JOHNSON

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